

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 17, No. 40 October 1, 1998 Pages 1487-1526

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Board of Accountancy

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Friday, December 11, in Room 108 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of a new regulation and proposed changes in existing rules and regulations of the Board of Accountancy.

All interested parties may submit written comments prior to the hearing to the executive director of the Board of Accountancy, Suite 556, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties also will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Vickie Boose at (785) 296-2162. Handicapped parking is located at the south end of the Landon State Office Building, and the north entrance to the building is accessible to individuals with disabilities.

The regulations are proposed for adoption on a permanent basis. A summary of the regulations and their economic impact follows.

74-5-2. Definitions. This regulation is being revised to change the terminology of "personal financial planning"

to "financial planning," which does not impact or change the definition. This regulation also is being revised to update existing language and set out the definitions in alphabetical order. There is no economic impact to governmental agencies, the general public or CPAs.

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74-5-103. Commissions and referral fees. The revisions to this regulation expand the list of functions performed by a CPA that would prohibit the CPA from accepting or paying a commission or referral fee for the sale of services or products recommended or sold by the CPA to a client. In addition, the requirement for a CPA to obtain a personal financial specialist or other similar designation in order to engage in the practice of financial planning has been eliminated. This regulation also is being revised to update existing language. There is no economic impact to governmental agencies, the general public or CPAs.

to governmental agencies, the general public or CPAs. 74-5-104. Contingent fees. The revisions to this regulation expand the list of functions performed by a CPA for a client that would prohibit the CPA from performing any services for a contingent fee or receiving a contingent fee. This regulation also is being revised to update existing language. There is no economic impact to governmental agencies, the general public or CPAs.

74-5-404. Permit holders employed by non-CPA firms performing or offering to perform non-attest functions to the public. This new regulation allows a permit-holding CPA, who works in a non-CPA firm, to use the CPA designation when providing non-attest functions. There

Is no economic impact to governmental agencies, the general public or CPAs.

The complete text of the regulations and the economic impact statements may be obtained by contacting the Board of Accountancy.

14.13

Susan L. Somers Executive Director

Doc. No. 022959

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Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of October 5 through October 18:

Date	Room	Time	Committee	Agenda
October 5 October 6	313-S 313-S	9:00 a.m. 9:00 a.m.	Special Committee on Rail Transportation	Agenda not available.
October 5 October 6	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Administrative Rules and Regulations	Agenda not available.
October 6	3rd Floor Hearing Room, KCC	10:00 a.m.	Internet Services Subcommittee of Kansas Universal Service Fund Working Committee	Agenda not available.
October 8	Salina	10:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Juvenile Community Planning Teams; Focus on the Future Program.
October 9	514-S	9:00 a.m.	SRS Transition Oversight Committee	Agenda not available.
October 13 October 14	514-S 514-S	10:00 a.m. 9:00 a.m.	Health Care Reform Legislative Oversight Committee	Agenda not available.
October 13	519-S	10:00 a.m.	Joint Committee on Arts and Cultural Resources	Agenda not available.
October 13	Norton WaKeeney	9:30 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Tour Norton; employee pay; community work programs; Greater Western Regional Juvenile Detention Center; Juvenile Community Planning Team.
October 13	526-S	10:00 a.m.	Task Force on Long-Term Care Services	Agenda not available.
October 14	123-S	10:30 a.m.	Legislative Coordinating Council	Legislative matters.
October 14 October 15	519-S 519-S	10:00 a.m. 9:00 a.m.	Legislative Educational Planning Committee	Agenda not available.
October 14 October 15	526-S 526-S	10:00 a.m. 9:00 a.m.	Special Committee on Local Government	Agenda not available.
October 14	529-S	1:30 p.m.	Confirmation Oversight Committee	Agenda not available.
October 15	123-S	9:30 a.m.	Joint Committee on Pensions, Investments and Benefits	KP&F memberships for state employees; retirement benefit calculations; employment trends for public sector employees.
October 16	1st Floor Hearing Room, KCC	10:00 a.m.	Kansas Universal Service Fund Working Committee	Agenda not available.

Jeff Russell Director of Legislative Administrative Services

State Conservation Commission

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Tuesday, December 8, in the fifth floor conference room, Mills Building, 109 S.W. 9th, Topeka, to consider adoption of proposed regulations of the State Conservation Commis-

The 60-day period prior to the public hearing will allow time for written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the State Conservation Commission, 109 S.W. 9th, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to limit any oral presentations to five minutes.

A complete copy of the regulations and the economic impact statements may be obtained by contacting the

State Conservation Commission office.

The following new regulations are proposed:

K.A.R. 11-9-1. Definitions. Terminology used in the "Kansas water quality buffer initiative" is defined.

K.A.R. 11-9-2. Program. Outlines the purpose of the buffer initiative.

K.A.R. 11-9-3. Eligible areas. Defines areas in the state eligible for the buffer initiative.

K.A.R. 11-9-4. Eligible applicants. Defines who is eligible for incentive payments in the buffer initiative.

K.A.R. 11-9-5. Eligible practices. Defines which pracfices are eligible for payments in the buffer initiative.

K.A.R. 11-9-6. Payments. Defines the level of payment and the maximum amount an eligible applicant may earn.

K.A.R. 11-9-7. Contracts. Sets forth the length of con-

K.A.R. 11-9-8. Selection. Outlines possible selection criteria that may be used to select eligible applicants.

K.A.R. 11-9-9. Technical standards. Sets forth technical standards for the initiative.

K.A.R. 11-9-10. Haying and grazing. Sets forth provisions for having and grazing on land under contract.

K.A.R. 11-9-11. Termination. Sets forth provisions for termination of the contract.

K.A.R. 11-9-12. Review and appeal procedures. Sets forth the time restriction to appeal an adverse decision.

Economic Impact: Implementation of the buffer initiative will have a positive impact on eligible applicants who offer areas for enrollment. They will receive an incentive payment that will supplement funds earned through the federal Conservation Reserve Program. Exact costs cannot be computed because this program is not mandatory and actual costs will not be known until application of the regulation has begun. There will potentially be a positive impact on vendors who will supply grass seed and in some cases trees for planting.

There will be a negative impact on county government as the assessed valuation of land enrolled in the initiative will go from dry cropland to a lesser valuation of either tame grass, native grass or wasteland. The impact will vary depending upon soil classification. Tax reduction for

enrolled acres changing from cropland to grass ranges from \$2.77 to \$9.49 per acre. In one instance, the valuation actually increases the per acre tax by \$0.22 per acre.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the State Conservation Commission at (785) 296-3600 or the Kansas Relay System at (800) 776-3777.

Tracy D. Streeter **Executive Director**

Doc. No. 022958

State of Kansas

Byd Gib. **State Corporation Commission**

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Notice of Motor Carrier Hearings

The following motor carriers have filed various applications and are scheduled for hearing at 9:30 a.m. October 20 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. All applications listed herein are for statewide authority, unless otherwise stated. This list does not include cases which have been continued from earlier assigned hearing dates for which parties of record have received notice.

Requests to inspect and copy the notices provided to the parties and questions in regard to these hearings should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (785) 271-3225 or 271-3151 The presiding officer for these matters is Susan Stanley Assistant General Counsel, (785) 271-3273. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

Attention should be directed to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission.'

Applications for Certificate of Public Service:

Roy Criqui, dba Doc's Auto Body, 720 Graham, Emporia, KS 66801; MC ID No. 156457; Clyde Christey, Attorney; General commodities including a tow-a-way service (except household goods and hazardous materials).

Shane Darnell and Charles Hollerich, dba Darnell Trucking, Route 1, Box 12B, Cawker City, KS 67430; MC ID No. 156467; William Barker, Attorney; General commodities (except

household goods and hazardous materials).

Kenneth L. Keen, Route 1, Box 63A, Lewis, KS 67552; MC ID No. 156222; General commodities (except household goods and hazardous materials).

Applications for Abandonment of Certificate of **Public Service:**

Russell D. Griffin, dba Griffin Transport, 3601 S.E. 30th Terrace, Apt. 201, Topeka, KS 66605; MC ID No. 133535.

R.E. Griffith, dba R.E.G. Trucking Co., 1304 Maple, Liberal, KS 67905; MC ID No. 120332.

> Jacquelyn S. Miller Administrator Transportation Division memic

Doc. No. 022967

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Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

Tuesday, October 13, 1998

32896 (Supp.)

Department of Social and Rehabilitation Services and Kansas Industries for the Blind—Laser printer electrophotographic cartridges

33308

State Corporation Commission—Abandoned well plugging, Burtiss Property

University of Kansas—Natural gas services

El Dorado Correctional Facility—Steel and fencing materials

Wednesday, October 14, 1998

А-7888(b)

Hutchinson Correctional Facility—Tuckpoint and stone repair, A and C Cellhouse

A-8684

State Historical Society—Clean and seal exterior stone, Museum of History

Kansas State University—Unix network storage server

Thursday, October 15, 1998

A-8553

Kansas State University—Reroofing, Rathbone Hall 33298

All agencies of the State of Kansas—Ballasts (fluorescent and HID)

33312

Statewide—Facsimile equipment supplies and thermal paper

8256

Pittsburg State University—Whitesitt Hall remodeling, Room 120

Wednesday, October 21, 1998

A-8676

Lansing Correctional Facility—Repair "C" Cellhouse

Thursday, October 29, 1998

33295

Department of Social and Rehabilitation Services and Kansas Industries for the Blind—Laser printer cartridge components

Request for Proposals Thursday, October 29, 1998

33297

Digital imaging system for the Kansas Correctional **Industries**

> John T. Houlihan **Director of Purchases**

Doc. No. 022965

State of Kansas

Board of Technical Professions

Notice of Hearing on Proposed **Administrative Regulations**

A public hearing will be conducted at 1 p.m. Friday December 4, in Conference Room 554, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of a proposed rule and regulation of the Board of Technical Professions.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to the Board of Technical Professions, Suite 507, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

This regulation is proposed for adoption on a permanent basis. A brief summary of the substance of the proposed regulation and its economic impact follows.

Article 7.—APPLICATIONS

K.A.R. 66-7-2. Application for certificate of authorization. This regulation is being modified in order to resolve a conflict between the Kansas State Board of Technical Professions' rules and regulations and K.S.A.

Economic Impact: There will be no additional economic impact on either the agency or the industry as a result of this regulation.

Other various changes that are grammatical, appropriate to format, or updated to the most current form of the statute have been made.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least 10 working days in advance of the hearing by contacting Betty Rose at (785) 296-3053.

A copy of the full text of the regulation and the fiscal impact statement may be obtained by contacting the board.

> Betty L. Rose **Executive Director**

Department on Aging Social and Rehabilitation Services

Request for Proposals

The Kansas Department on Aging (KDOA) and the Kansas Department of Social and Rehabilitation Services (SRS) are taking requests for proposals for initiatives that expand transportation options to all people in a community who are served by those agencies. Projects must eliminate transportation barriers experienced by many of the individuals served by KDOA and SRS by promoting, through a competitive grants process focused on outcome results, community coordination and collaboration to solve transportation barriers.

To obtain a copy of the Call for Investment for Transportation, contact Tamara Tiemann, Community and Nutrition Services Manager, at (785) 296-6445, or Merlene Smith, Senior Services Administrative Assistant, at (785)

368-7230.

Applications must be received by KDOA by 5 p.m. Monday, November 9.

Thelma Hunter Gordon Secretary of Aging

Rochelle Chronister Secretary of Social and Rehabilitation Services

Doc. No. 022957

State of Kansas

Consumer Credit Commissioner

Administrative Interpretation No. 1007 Interest Rates on Mortgage Loans

This administrative interpretation will modify the previous policy of this agency regarding the Kansas Uniform Consumer Credit Code, specifically K.S.A. 16a-2-401(7) and (8), and the maximum permissible interest rate for first mortgage loans made subject to the code and subordinate mortgage loans.

A first mortgage loan is *only* subject to the code if the parties so agree in *writing* pursuant to K.S.A. 16a-1-109. K.S.A. 16a-2-401(7) provides that the interest rate of these first mortgage loans is governed by K.S.A. 16-207(b) *un*-

less made subject hereto by agreement.

A second or subordinate mortgage loan, other than one made by the holder of the first mortgage, is automatically subject to the code pursuant to the definition of a "consumer loan" in K.S.A. 16a-1-301(13). K.S.A. 16a-2-401(8) provides that the interest rate of these second or subordinate mortgage loans is governed by K.S.A. 16-207(b) or (h) unless made subject hereto by agreement.

It is the opinion of the Acting Consumer Credit Commissioner that for purposes of K.S.A. 16a-2-401(7) and (8), a promissory note or other loan document signed by a borrower, in connection with a first or subordinate mortgage loan as described above, which discloses an interest rate not exceeding the interest rate ceilings established by K.S.A. 16a-2-401(1) or (2), constitutes an "agreement" by

the parties that the loan is made subject to the provisions of K.S.A. 16a-2-401, including the interest rate ceilings.

This issue was considered by the Advisory Council to the Acting Consumer Credit Commissioner on July 21, 1998, and it is expected that the 1999 Kansas Legislature will be asked to consider legislation that will clarify K.S.A. 16a-2-401.

Dated September 1, 1998.

David R. Brant Acting Commissioner

Doc. No. 022975

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Exxon USA - Olathe Plant has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of sulfur exides, nitrogen exides, carbon monoxide, volatile organic compounds, particulate matter less than 10 microns and hazardous air pollutants were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Exxon USA - Olathe Plant owns and operates a grease manufacturing facility located at 1400 S. Harrison, Olathe

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Johnson County Environmental Department, 11180 Thompson Ave., Lenexa. To obtain or review the proposed permit and supporting documentation, contact Donald J. Law, (785) 291-3271, at the KDHE central office, or Mike Boothe, (913) 492-0402, at the Johnson County Environmental Department. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Donald J. Law, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business November 2.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business November 2 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchel Secretary of Health and Environment

Commission on Veterans' Affairs

Notice of Meeting

The Kansas Commission on Veterans' Affairs will meet at 1 p.m. Friday, October 16, in the Timber Creek Building at the Kansas Veterans' Home, Winfield. The public is invited to attend. For further information, call (785) 296-3976.

Don A. Myer Executive Director

Doc. No. 022961

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization subject to certain conditions.

Public Notice No. KS-AG-98-127

Name and Address	Legal	Receiving
of Applicant	Description	Water
Darryl Heinen	NE/4 of Section 21,	Big Blue River
2781 Indian Road	T2S, R10E, Marshall	Basin
Axtell, KS 66403	County	

Kansas Permit No. A-BBMS-M015

Facility Description: This is a new facility for 60 head of dairy cattle (84 animal units) and 272 head of swine (72 animal units).

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs.

Public Notice No. KS-98-121/123

Name and Address	and the first of the second of	Type of
of Applicant	Waterway	Discharge
City of Goddard	Cowskin Creek via	Treated domestic
122 N. Main	Dry Creek	wastewater
P.O. Box 667	[1985] \$P\$ \$P\$ \$P\$ \$P\$ \$P\$	and the state of the
Goddard, KS 67052	British Take British Time	

Kansas Permit No. M-AR37-OO01 Federal Permit No. KS0024791 Legal: SW4, \$29, T275, R2W, Sedgwick County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing three-cell wastewater treatment facility treating primarily domestic wastewater. The proposed permit contains a schedule of compliance for the permittee to add a fourth cell to the existing cells to accommodate increased wastewater flows due

to growth in the community. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Hunt Midwest Mining P.O. Box 12659 Kansas City, KS 64116	Neosho River via Indian Creek via unnamed tributary	Quarry dewatering and stormwater
Facility name: Settlemyer Qu	arry	

Kansas Permit No. I-NE14-PO01 Federal Permit No. KS0081434 Legal: SE¹/4, S12, T23S, R17E, Anderson County

Facility Description: The proposed action is to reissue a permit for the discharge of wastewater from an existing quarry operation. This is a limestone quarrying operation with no washing. The only discharge is quarry pit dewatering and uncontaminated stormwater runoff. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address		Type of
of Applicant		Discharge
Martin Marietta Aggregates	Marais des Cygnes	Quarry
4554 N.W. 114th St.	River via Long	dewatering and
Des Moines, IA 50322	Creek	stormwater

Facility name: Melvern Quarry

Kansas Permit No. I-MC23-PO02 Federal Permit No. KS0089711

Legal: NW1/4, S16, T18S, R16E, Osage County

Facility Description: The proposed action is to reissue a permit for the discharge of wastewater from an existing quarry operation. This is a limestone quarrying operation with occasional washing. The washwater is treated in a setting pond before it is discharged. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Public Notice No. KS-ND-98-032

Name and Address of Applicant	Legal Location	Type of Discharge
Youngers & Sons Mfg. Co.,	SW1/4, S5, T29S,	Nonoverflowing
Inc.	R2W, Sedgwick	•
19223 K-42 Highway	County	
Viola, KS 67149		

Kansas Permit No. C-AR37-NO05

Kansas Permit No. P-SH16-OO03

Facility Description: The proposed action is to reissue a new permit for operation of a one-cell wastewater treatment lagoon system treating process wastewater. Maximum wastewater flow generated at this facility is about 1,000 gallons per day. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f).

Public Notice No. KS-PT-98-013/015

Name and Address of Applicant	Receiving Facility	Type of Discharge
Cross Manufacturing, Inc.	Hays MWWTF	Processed
11011 King St.		wastewater
Suite 210		
Overland Park, KS 66210		

Facility Address: 1001 Canterbury Drive, Hays, KS 67601

Facility Description: The proposed action is to issue a new pretreatment permit for the above-named facility. This facility manufacturers hydraulic control valves, pumps and motors. Steel parts are phosphated using a three-stage conversion coating operation to prepare the steel for paint. All process wastes are directed to an on-site evaporator system. There are no regulated wastes discharged to the city sanitary sewer. The permit limits are pursuant to state and federal pretreatment requirements.

(continued)

Name and Address of Applicant

Receiving Facility
Abilene POTW

Type of Discharge Processed wastewater

Great Plains Manufacturing Abilene Facility 1100 N.W. 8th

Abilene, KS 67410 Kansas Permit No. P-SH01-OO01

Facility Description: The proposed action is to issue an existing pretreatment permit for a new facility. The proposed permit contains a schedule of compliance to upgrade the wastewater pretreatment facility. This facility manufacturers various types of landscape equipment including mowers, tillers, cutters and seeders. Steel parts are welded, phosphated and painted to produce the final product. The phosphating operation consists of an automatic four-stage washing system. The permit limits are pursuant to state and federal pretreatment requirements.

Name and Address of Applicant Receiving Facility Type of Discharge

Great Plains Manufacturing Lucas POTW Lucas Facility 1525 E. North St. Salina, KS 67402-5060 Processed wastewater

Kansas Permit No. P-SA08-OO01

Facility Description: The proposed action is to reissue an existing pretreatment permit for a new facility. The proposed permit contains a schedule of compliance to upgrade the wastewater pretreatment facility. This facility manufacturers various types of spray and landscape equipment. Steel parts are welded, phosphated and painted to produce the final product. The phosphating operation is a pressure spray gun system. The permit limits are pursuant to state and federal pretreatment requirements.

Written comments on the draft permits must be submitted to the attention of Dorothy Geisler for agricultural permits or to the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments postmarked or received on or before October 31 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-98-127, KS-98-121/123, KS-ND-98-032, KS-PT-98-013/015) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determination. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The applications, proposed permits, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 5 p.m. Monday through Friday.

The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Gary R. Mitchell Secretary of Health and Environment State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality Class II operating permit. J.M. Fahey Construction Company has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540 to replace its existing Class II operating permit, permit by rule (K.A.R. 28-19-563). J.M. Fahey Construction Co. blends a mixture of a high-quality aggregate and liquid cement, which is heated and mixed in measured quantities to produce a hot mix asphalt. Emissions resulting from the loader to the cold aggregate, cold aggregate bin to the conveyor, conveyor to the rotary drum dryer, haul roads, aggregate handling and storage piles were evaluated to determine the potential-to-emit. The purpose of the Class II operating permit is to limit the potential-to-emit of particular matter with a diameter of 10 micrometers or less (PM_{10}) to below 100 tons per year.

J.M. Fahey Construction Company owns and operates the stationary source located at 7014 Holiday Drive, Kan-

sas City, Kansas.

A copy of the proposed permit, permit application, all a supporting nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the Department of Air Quality, Unified Government of Wyandotte County-Kansas City, Kansas Health Department, 619 Ann Ave., Kansas City, and at the Bureau of Air and Radiation, Kansas Department of Health and Environment, Building 283, Forbes Field, Topeka. To obtain or review the proposed permit and supporting documentation, contact William Stevenson at the Unified Government of Wyandotte County-Kansas City, Kansas Health Department, (913) 573-6700, or Connie Carreno at the Kansas Department of Health and Environment, (785) 296-6422. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to William Stevenson, Department of Air Quality, Unified Government of Wyandotte County-Kansas City, Kansas Health Department, 619 Ann Ave., Kansas City, KS 66101. Written comments must be received by the close of business November 2 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, Kansas Department of Health and Environment, Building 283, Forbes Field, Topeka, 66620, not later than the close of business November 2 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell Secretary of Health and Environment

Doc. No. 022970

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Diamant Boart Investments, Inc. has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of carbon monoxide were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Diamant Boart Investments, Inc. owns and operates a masonry and concrete saw manufacturing facility located at 17400 W. 119th St., Olathe.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Johnson County Environmental Department, 11180 Thompson Ave., Lenexa.

To obtain or review the proposed permit and supporting documentation, contact Donald J. Law, (785) 291-3271, at the KDHE central office, or Mike Boothe, (913) 492-0402, at the Johnson County Environmental Department. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Donald J. Law, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business November 2.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business November 2 in order for the Secretary of Health and Environment to consider the request.

> Gary R. Mitchell Secretary of Health and Environment

Doc. No. 022971

State of Kansas

Office of Judicial Administration **Court of Appeals Docket**

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals Kansas Judicial Center 301 W. 10th Ave. Court of Appeals Courtroom 2nd Floor Topeka, Kansas

Before Elliott, P.J.; Green, J.; and Ron Rogg, Senior Judge, assigned.

Tuesday, October 13, 1998

Case No.	Case Name	2:00 a.m. Attorneys	County
78,741	Emil J. Schneider and Gloria J. Schneider, Husband and Wife, Appellants, v. Board of County Commissioners of Labette County, Kansas; Boatman's First National Bank of Kansas City; Missouri Bridge Bank, National Association; and Metropolitan Federal Bank, FSB, Appellees.	Jonathan P. Small Fred W. Johnson Michelle M. Cawley Charles R. Rayl Stanley N. Wilkins	Lyon
79,126	Christopher J. Pierce and Paula J. Pierce, Appellees, v. David L. Bohannon, Appellant.	John D. Conderman Michael G. Coash	Riley
79,461	Darlene Jones, Appellee, v. Lucille Litke and Wanda Hedgespeth, Appellants.	David H. Heilman Darrel W. Bryant	Morris

(continued)

		1:30 p.m.		
80,982	In the Interest of C.Y., dob: 06/03/92.	Craig A. Lubow Sheryl A. Bussell, Asst. D.A. Philip C. Lorton		Wyandotte
75,841	State of Kansas, Appellee, v. Darren Wayne Alley, Appellant.	Attorney General Tony W. Rues, Asst. D.A. Jessica R. Kunen, Chief A.D.		Shawnee
	Darien Wayne Aney, Appenant.	Debra J. Wilson, Asst. A.D.	•	
79,344	United Methodist Homes, Inc., d/b/a Aldersgate Village, Appellant,	Jeffrey A. Chanay Kevin M. Fowler Cedric B. Gardner		Shawnee
	Kansas Department of Health and Environment, Appellee.			
	Wednesd	ay, October 14, 1998		
Core No	Case Name	9:00 a.m. Attorneys	, , ,	County
Case No. 78,707	Cheryl M. Emmons, Appellant,	Darrell Smith		Franklin
70,707	v.	Stephen J. Smith		
4	Lemaster, Inc., and Charles A. Lemaster, Appellees.			
78,997	Margo Burson, Conservator of the Estate of Christopher J. Siefer, Appellant,	Ronald L. Schneider Jerry K. Levy Kenneth E. Holm		Shawnee
	Falley's, Inc., Terry Mongold, and Nicholas Mongold, Appellees.	David W. Hauber		
78,297	State Farm Fire & Casualty Co., Appelled v.	Rodney K. Murrow		Johnson
	James J. Gerrity, Nova, Inc., and	James T. Wiglesworth		
	Richard Welsh, Appellant.			
	Summary Cale	ndar—No Oral Argument		
77,527	State of Kansas, Appellee, v.	Attorney General James T. Pringle, Jr., C.A.		Cowley
	Robert K. Ferguson, Appellant.	Jessica R. Kunen, Chief A.D.		Iohnson
79,654	Hoelting Enterprises, a Kansas General Partnership, Appellee, v.	Thomas W. Harris Thomas M. Mullinix Keith C. Sevedge		Johnson
	Frederick C. Nelson, Patrick T. Hayes an Nelson-Hayes Financial Group, Inc., Appellants.			
77,642	State of Kansas, Appellee,	Attorney General Gwynne E. Harris, Asst. D.A.		Shawnee
	Carl Baker, Appellant.	Jessica R. Kunen, Chief A.D.		
80,553	Jerry R.C. Cooper, Appellee, v.	Cheryl A. Marquardt Charles J. Cavenee		Leavenworth
· ·	Marilyn Scafe, et al., Appellants.	Hsingkan Chiang, Asst. A.G.		A 4-1
78,271	State of Kansas, Appellee, v. Jerome M. Ernzen, Appellant.	Attorney General County Attorney John R. Kurth		Atchison
79,305	Clifford D. Cameron, Appellant,	Jessica R. Kunen, Chief A.D.		Sedgwick
	v. State of Kansas, Appellee.	Attorney General Debra S. Peterson, Asst. D.A.	· · · · · · · · · · · · · · · · · · ·	

Kansas Court of Appeals Old Sedgwick County Courthouse 510 N. Main, 3rd Floor Wichita, Kansas

Before Gernon, P.J.; Royse, J.; and Nancy E. Parrish, D.J., assigned.

Tuesday, October 13, 1998

9:00 a.m.

Case No.	Case Name	Attorneys	County
77,938	Holland Roofing & Siding, Inc., Appellee, v. Mary Tambling, Appellant.	Roger M. Sherwood Kurt A. Harper Clifford L. Bertholf	Sedgwick
78,633	Khalil Baugh, a Minor, Appellee, et al., Roger and Elva Baugh, Appellants, v. Richard Petty, Appellee.	Tara L. Bragg Michael R. O'Neal Brian D. Pistotnik John B. Swearer	Reno
78,795	Barbara Wolf, Appellant, v. Margaret J. Woods, Appellee.	Robert T. Cornwell Mickey W. Mosier Paula J. Wright	Ellis
		1:30 p.m.	
78,904	Janie E. Farris, Appellee, v.	David J. Bideau Dale V. Slape	Work Comp
	Automotive Controls Corp., and Self-Insured, Appellant, and Kansas Workers Comp. Fund, Appellee.	Garry W. Lassman	
79,166	State of Kansas, Appellee, v. Joe Reifer, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Elizabeth Rogers, Asst. D.A. Jessica R. Kunen, Chief A.D. Debra J. Wilson, Asst. A.D.	Sedgwick
78,231	State of Kansas, Appellee, v. Curtis L. Whiteside, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Elizabeth Rogers, Asst. D.A. Jessica R. Kunen, Chief A.D. Ryan Kipling Elliot, Asst. A.D.	Sedgwick
	Wadwanda	Ostabar 14 1000	

Wednesday, October 14, 1998

9:00 a.m.

7 11 VV		7.00 a.m.		
Case No.	Case Name	Attorneys		County
78,537	Terry David Byers, Appellee,	Lawrence M. Gurney		Work Comp
	v. Morton Buildings, Inc.,	Richard J. Liby Vincent A. Burnett		
	and Insurance Company of North America, Appellants, and	John C. Nodgaard		
	Kansas Workers Comp. Fund.			
80,455	Curtis Gordon, #46099, Appellee, v.	Michael G. Coash James W. Coder, Asst.	A.G.	Butler
	Michael A. Nelson, et al., Appellants.			

(continued)

78,557	Jefferson W. Sanders, #32114, Appellant, v. State of Kansas; E.L. Bruce, Warden, Ellsworth Correctional Facility; Charles Simmons, Secretary of Corrections; Micah A. Ross, Director, Kansas Parole Board; Don Schwartz, Parole Officer, Kansas Parole Board, Appellees.	Paula D. Hofaker James W. Coder, Asst. A.G.	Ellsworth
77,934	State of Kansas, Appellee,	Attorney General	Saline
////JOZ	v. Jeremiah Richard Fortner, Appellant.	County Attorney Jessica R. Kunen, Chief A.D.	
81,058	In the Interest of: J.E., dob: 04/22/96 L.E., dob: 03/05/94 S.E., dob: 12/24/91 K.E., dob: 07/13/90 N.E., dob: 03/23/89 A.F.S., dob: 04/02/87	Mary A. McDonald, C.A. Donald R. Snapp Harold F. Schorn II	Harvey
79,345	State of Kansas, Appellee, v. Steve A. Taylor, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
80,793	In the Interest of R.B.W. and C.S.C., Children in Need of Care,	Christina Trocheck, Asst. C.A. Patrick H. Thompson Catherine Craft	Saline
80,315	Jesus Salome, Appellant, v. Michael A. Nelson, <i>et al.</i> , Appellees.	Steven C. Sherwood Julie Riddle	Butler
80,597	In the Interest of: A.R.R., dob: 07/22/85 L.A.R., dob: 12/12/86 P.M.R., dob: 05/05/88 Minor Children Under 18 Years of Age.	Henry H. Blase Shawn Elliott	Sedgwick

Kansas Court of Appeals Finney County Courthouse Main Courtroom 425 N. 8th St. Garden City, Kansas

Before Lewis, P.J.; Knudson, J.; and Stephen R. Tatum, D.J., assigned. Tuesday, October 13, 1998

Case No.	Case Name	:00 a.m. Attorneys County
78,876	Rosel Energy, Inc., a Corporation, Appellant, v. Carol Ann Rosel, Appellee.	Gene H. Sharp Seward Stanley E. Antrim Stephanie Antrim Weeast
78,494	In the Matter of the Marriage of Jennifer A. McEachern, Appellant, and Richard W. McEachern, Jr., Appellee.	Heidi L. Beeson John M. Lindner John M. Settle
78,529	St. Catherine Hospital of Garden City, Kansas, Appellee, v. Paul M. Rodriguez, M.D., Appellant.	Lee H. Woodard Finney Steven C. Day Chris S. Cole Geary N. Gorup

.5%	1 :	:30 p.m.	en e
78,480	State of Kansas, Appellee, v. Max Saiz, Appellant.	Attorney General John P. Wheeler, Jr., C.A. Jessica R. Kunen, Chief A.D. Ezra Ginzburg, Asst. A.D.	Finney
80,726 80,727	In the Interest of P.K.	Scott J. Miller, Asst. C.A. Loy D. "Kip" Johnson Willis K. Musick Paul Oller	Ellis
78,568	Tim Strayer, a/k/a Timothy Strayer, Timothy P. Strayer and Timothy Paul Strayer, Appellant, v.	Michael S. Holland Deanna F. Knapp	Gray
	State of Kansas, Appellee.		and the second of the second o
	Wednesday	, October 14, 1998	
Case No.	9; Case Name	:00 a.m.	0
78,337	In the Matter of the Marriage of Donna G. Thomas, f/k/a Donna G. Wolfenbarger, Appellee, and Harry A. Wolfenbarger, Jr., Appellant.	Attorneys Glenn I. Kerbs Harry A. Wolfenbarger, Jr., pro se	Ford
78,490	In the Matter of the Estate of Stanley Higbie, Deceased.	Mark Frame Charles H. Herd	Pratt
78,226	Brady Fluid Service, Inc., a Kansas Corporation, and DCI, Inc., a Kansas Corporation, Appellants,	E. Edward Brown Michael E. Collins Bradley W. Maudlin	Finney
). 1	v. C. Leon Jordan, a/k/a Leon Jordan, Debra L. Jordan, a/k/a Debbie Jordan, and William H. Kuehn, Appellees.		
	Summary Calend	ar—No Oral Argument	*
79,758	State of Kansas, Appellee, v. Jack B. Kulp, Appellant.	Attorney General Ann L. Smith, Special Asst. C.A. Jessica R. Kunen, Chief A.D.	Montgomery
80,011	Robert W. Pierce, Appellant, v. Mrs. Paul Leedy, Appellee.	Robert W. Pierce, pro se William J. Kelly	Montgomery
79,081	Melvin Wayne Gray, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General Rick J. Scheufler, C.A.	Barton
79,982	State of Kansas, Appellee, v. Lanet K. Haag, Appellant	Attorney General R. Douglas Sebelius, C.A. Daniel C. Walter	Norton
79,124	Janet K. Haag, Appellant. Derick A. Pharis, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General Barry R. Wilkerson, Asst. C.A.	Riley
80,611	State of Kansas, Appellee, v. Malvin Randy Schamp, Appellant.	Attorney General James R. Fetters, C.A. Malvin Randy Schamp, pro se	Smith - 3 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8
		Clerk of the	Carol G. Green Appellate Courts

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the projects listed below. Responses must be received by 5 p.m. October 21 for the consulting engineering firm to be considered. Seven signed copies of the response should be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages.

From the firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three, not more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned to the project. Firms not selected to be short listed will be notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

Project No. 14-48 K-6380-01 Project No. 17-48 K-7338-01 Kingman County

The scope of services is to provide for the replacement of Chikaskia River Bridge (030) and Drainage Bridge (031), 6.8 km and 7.2 km north of the Harper-Kingman county line, and the Smoots Creek Bridge (042), 0.8 km north of US-54 in Kingman County. Project No. 14-48 K-6380-01 is scheduled for letting in fiscal year 2001, and the estimated construction cost is \$3,583,000. Project No. 17-48 K-7338-01 is scheduled for plan completion in fiscal year 2002, and the construction estimate is \$626,000.

Project No. 27-94 K-7341-01 Stanton County

The scope of services is to provide for the rehabilitation of K-27 from the Morton-Stanton county line, north 19.5 km to US-160. The rehabilitation shall include widening of the Dry Lake Drainage Bridge (004) and the Sandy Arroyo Creek Drainage Bridge (005) and the replacement of the Sandy Arroyo Creek Bridge (006). The project is scheduled for plan completion in fiscal year 2003, and the construction estimate is \$8,871,000.

Project No. 16-43 K-6381-01 Jackson County

The scope of services is to provide for the replacement of the Soldier Creek Bridge (009), 1.0 km (0.6 miles) east of K-62 in Jackson County. The survey

will be provided by KDOT. The project is scheduled for letting in fiscal year 2001, and the estimated construction cost is \$1,330,000.

Project No. 23-32 K-7346-01 Project No. 23-90 K-7333-01 Gove and Sheridan Counties

The scope of services is to provide for the replacement of the Saline River Bridge (014), 3.1 km north of the Gove-Sheridan county line, and the replacement of the Hackberry Creek Bridge (025) and the Hackberry Creek Drainage (026), 28.2 km and 28.6 km north of the Lane-Gove county line. Project No. 23-90 K-7333-01 is scheduled for plan completion in fiscal year 2002, and the construction estimate is \$1,284,000. Project No. 23-32 K-7346-01 is scheduled for plan completion in fiscal year 2003, and the construction estimate is \$1,426,000.

Project No. 15-21 K-7344-01 Project No. 197-21 K-7342-01 Dickinson County

The scope of services is to provide for the replacement of the Mud Creek Drainage Bridge (058), 4.1 km north of I-70 on K-15, and for the replacement of the Chapman Creek Drainage Bridge (074), 1.7 km west of K-15 on K-197 in Dickinson County. Project No. 15-21 K-7344-01 is scheduled for plan completion in fiscal year 2003 and the construction estimate is \$646,000. Project No. 197-21 K-7342-01 is scheduled for plan completion in fiscal year 2003, and the construction estimate is \$666,000.

The scope of services includes providing for the discovery phase on the following project. The discovery phase is intended to provide information about the project that might impact its cost, scope or schedule. At the completion of the discovery phase, KDOT will determine whether to proceed with the design services.

Project No. 77-8 K-6384-01 Project No. 77-8 K-7347-01 Butler County

The scope of services is to provide for the reconstruction of US-77 from the north city limits of El Dorado, north 27.2 km to the Butler-Chase county line. The project is scheduled for letting in fiscal year 2004, and the estimated construction cost is \$24,895.

It is KDOT's policy to use the following criteria as the basis for selection of the consulting engineering firms:

- 1. Size and professional qualifications; which to
- 2. Experience of staff;
- 3. Location of firm with respect to proposed project;
 - 4. Work load of firm; and
 - 5. Firm's performance records

E. Dean Carlson Secretary of Transportation

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Doc. No. 022969

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Wichita Airport Hilton, Wichita, until 2 p.m. October 21 and then publicly opened:

District One—Northeast

Leavenworth—53 C-2464-01—County road 3 miles (4.8 kilometers) east and 2 miles (3.2 kilometers) north of Tonganoxie, then east 0.17 mile (0.28 kilometer), grading and bridge. (Federal funds)

Brown—7 C-3341-01—County road 1 mile (1.6 kilometers) east and 3.2 miles (5.1 kilometers) north of Morrill, grading and bridge. (Federal funds)

Nemaha—66 C-3346-01—County road 1.7 miles (2.8 kilometers) west and 3 miles (4.8 kilometers) north of Seneca, 0.19 mile (0.3 kilometer), grading, bridge and surfacing. (Federal funds)

Osage—70 C-3453-01—County road 1.5 miles (2.4 kilometers) north and 3.7 miles (6 kilometers) east of Melvern, 0.15 mile (0.24 kilometer), grading and bridge. (Federal funds)

Johnson—35-46 K-7330-01—southbound I-35 exit ramp (Exit 215) to US-169, 0.03 mile (0.05 kilometer), grading and surfacing (State funds)

Johnson—46 C-3500-01—Mission Road 0.7 mile (1.1 kilometers) south of 159th Street, 0.12 mile (0.19 (kilometer), grading, bridge and surfacing. (Federal funds)

District Two-Northcentral

Washington—101 C-3190-01—County road 6.0 miles (9.7 kilometers) north and 1.4 miles (2.3 kilometers) east of Clifton, 0.2 mile (0.3 kilometer), grading and bridge. (Federal funds)

Ottawa—72 C-3399-01—County road 0.8 mile (1.3 kilometers) north of Minneapolis, 0.15 mile (0.24 kilometer), grading, bridge and surfacing. (Federal funds)

Mitchell—24-62 K-6977-01—U.S. 24 from the Osborne-Mitchell county line east to 2 miles (3.1 kilometers) east of the junction of K-128, 10.2 miles (16.4 kilometers), overlay. (State funds)

Jewell-Republic—106 K-7239-01—K-112 from the junction of U.S. 36 north to the south city limits of Esbon; U.S. 36 from the Smith-Jewell county line east to the Jewell-Republic county line; U.S. 36 from the Jewell-Republic county line east to 1.1 miles (1.8 kilometers) east of the junction of U.S. 81; K-199 from the north city limits of Courtland north to the junction of U.S. 36, 50.7 miles (81.6 kilometers), overlay. (State funds)

Jewell-Mitchell—106 K-7242-01—K-128 from the Mitchell-Jewell county line north to the west junction of U.S. 36; K-228 from the junction of K-128 east to Ionia; K-128 from the junction of U.S. 24 north to the Mitchell-Jewell county line, 19.4 miles (31.2 kilometers), sealing. (State funds)

Cloud-Jewell—106 K-7234-01—K-9 from the junction of K-28 east to the west city limits of Concordia; K-28 from

the Jewell-Cloud county line east to the junction of K-9; K-28 from the junction of K-148 south and east to the Jewell-Cloud county line, 24.6 miles (39.6 kilometers), overlay. (State funds)

Ellsworth-Rice—106 K-7235-01—K-14 from the K-4 junction north to the Rice-Ellsworth county line; K-14 from the Rice-Ellsworth county line north to the south city limits of Ellsworth; K-156 from the junction of K-140 northeast to I-70, 26.1 miles (42 kilometers), overlay. (State funds)

strip 1 mile (1.6 kilometers) south of Ellsworth, stockpile bituminous material. (State funds)

Ellsworth—14-27 M-1892-01—K-14 KDOT mixing strip north of I-70, stockpile bituminous material. (State funds)

District Three—Northwest

Phillips—C-3566-01—County road 2.0 miles (3.2 kilometers) west of Phillipsburg, 0.06 mile (0.1 kilometer), grading and surfacing. (Federal funds)

Rawlins—25-77 K-2846-01—K-25 from the Thomas-Rawlins county line north to the south city limits of Atwood, 15.9 miles (25.6 kilometers), recycle and overlay. (State funds)

Decatur—36-20 K-7000-01—U.S. 36 from the Rawlins-Decatur county line east to the east city limits of Oberlin, 11.7 miles (18.8 kilometers), overlay: (State funds)

Wallace—40-100 K-7003-01—U.S. 40 from the Colorado-Kansas state line east to 0.3 mile (0.5 kilometer) west of the west junction of K-27, 16.1 miles (26 kilometers), overlay. (State funds)

Decatur—83-20 K-7008-01—U.S. 83 1 mile (1.6 kilometers) north of the junction of County Route 180 north to the south city limits of Oberlin, 8 miles (13 kilometers), overlay. (State funds)

Norton—36-69 K-7189-01—U.S. 36 from the west junction of K-383 east to the west city limits of Norton, 0.2 mile (0.32 kilometers), slurry seal. (State funds)

Gove—32 K-7245-01—K-23 from the Logan-Gove county line north to the Gove-Sheridan county line; K-23A from the I-70 interchange north to the junction of K-23, 32.8 miles (52.7 kilometers), recycle and overlay. (State funds)

Sheridan—90 K-7247-01—U.S. 83 from the Thomas-Sheridan county line northeast to the junction of K-383; K-383 from the junction of U.S. 83 northeast to the Sheridan-Decatur county line, 12.6 miles (20.3 kilometers), overlay. (State funds)

Decatur-Sheridan—83-106 K-7248-01—U.S. 83 from the Sheridan-Decatur county line north 8.8 miles (14.4 kilometers); U.S. 83 from the junction of K-383 north to the Sheridan-Decatur county line, 9.6 miles (15.5 kilometers), sealing. (State funds)

District Four—Southeast

Bourbon—6 C-3222-01—County road 2.8 miles (4.5 kilometers) south and 1.5 miles (2.4 kilometers) east of Red(continued)

field, 0.2 mile (0.3 kilometer), grading, bridge and surfacing. (Federal funds)

Labette—50 C-3478-01—County road 5.3 miles (8.5 kilometers) west and 4.5 miles (7.2 kilometers) north of the junction of U.S. 59 and U.S. 166, 0.2 mile (0.32 kilometer), grading and bridge. (Federal funds)

Neosho—39-67 K-7197-01—K-39 Bridge 057 Canville Creek, 1.6 miles (2.5 kilometers) east of the east junction of U.S. 59, bridge repair. (State funds)

District Five—Southcentral

Barber—4 C-3004-01—County road 10.2 miles (16.4 kilometers) north and 5.2 miles (8.4 kilometers) west of Medicine Lodge, 0.3 mile (0.5 kilometer), grading and bridge. (Federal funds)

Cowley—18 C-3451-01—County road 4.2 miles (6.8 kilometers) east of Akron over Dutch Creek, 0.2 mile (0.32 kilometer), grading and bridge. (State funds)

Harvey—135-40 K-5089-01—I-135 from the Sedgwick-Harvey county line north to 0.3 mile (0.5 kilometer) south of the south junction of K-15, 7.4 miles (11.9 kilometers), pavement reconstruction. (Federal funds)

Harper—179-39 K-5542-01—K-179 Bridge 048, Bluff Creek and Bridge 049, Spring Creek, bridge repair. (State funds)

Comanche—17 K-7254-01— K-1 from the Oklahoma-Kansas state line north to the junction of U.S. 160; U.S. 160 from the Clark-Comanche county line east to the junction of K-1; U.S. 160 from the junction of K-1 north to the railroad tracks in Coldwater, 30.4 miles (49 kilometers), overlay. (State funds)

Barton—5 K-7257-01—K-4 from the east junction of U.S. 281 east to east of Elm Street at Hoisington; U.S. 281 from the east junction of K-4 northwest to the west junction of K-4, 4.8 miles (7.7 kilometers), overlay. (State funds)

Barton-Rice—106 K-7258-01—K-4 from the junction of K-156 east to the Barton-Rice county line; K-4 from the Barton-Rice county line east to the junction of K-14; K-171 from the north city limits of Bushton north to the junction of K-4, 16.8 miles (27.1 kilometers), overlay. (State funds)

Edwards-Pawnee—56-106 K-7262-01—U.S. 56 from the south city limits of Kinsley northeast to the Edwards-Pawnee county line; U.S. 56 from the Edwards-Pawnee county line east to Big Coon Creek bridge, 13.7 miles (22 kilometers), overlay. (State funds)

Pawnee—73 K-7263-01—K-156 from the Hodgeman-Pawnee county line east to the west city limits of Larned; U.S. 183 from the junction of K-156 north to the Pawnee-Rush county line; K-264 from St. Hospital north to the junction of K-156, 37.2 miles (59.9 kilometers), overlay. (State funds)

Barton—4-5 M-1889-01—K-4 KDOT mixing strip 5 miles (8 kilometers) west of U.S. 281, stockpile bituminous material. (State funds)

Rice—4-80 M-1890-01—KDOT mixing strip 2.5 miles (4 kilometers) west of K-14, stockpile bituminous material. (State funds)

District Six Southwest and well are

Wichita—25-102 K-7076-01—K-25 from the junction of K-96 north to the Wichita-Logan county line, 15.2 miles (24.4 kilometers), overlay. (State funds)

Hamilton—50-38 K-7077-01—U.S. 50 from the Colorado-Kansas state line east to the west city limits of Syracuse, 16.1 miles (25.9 kilometers), overlay. (State funds)

Morton—56-65 K-7083-01—U.S.56 from the Oklahoma-Kansas state line northeast to 4.9 miles (7.9 kilometers) east of County Route 1488, 14.1 miles (22.7 kilometers), slurry seal. (State funds)

Haskell—83-41 K-7087-01—U.S. 83 from the Seward-Haskell county line north to the junction of U.S. 160/K-144, 12 miles (19.4 kilometers), slurry seal. (State funds)

Finney—83-28 K-7088-01—U.S. 83 2.9 miles (4.7 kilometers) north of County Route 247 north to 0.6 mile (1 kilometer) south of U.S. 83B, 5.3 miles (8.6 kilometers), overlay. (State funds)

Scott—95-86 K-7089-01—K-95 from the south junction of U.S. 83 north and east to the north junction of U.S. 83, 6.6 miles (10.6 kilometers), overlay. (State funds)

Greeley—96-36 K-7090-01—K-96 from the Colorado-Kansas state line east to the junction of K-27, 15.9 miles (25.6 kilometers), overlay. (State funds)

Scott—96-86 K-7091-01—K-96 from the east city limits of Scott City east to the Scott-Lane county line, 11.5 miles (18.5 kilometers), slurry seal. (State funds)

Seward—83-88 K-7321-01—U.S. 83 0.9 mile (1.4 kilometers) north of the K-51 junction northeast to the south U.S. 160 junction, 7.7 miles (12.4 kilometers), overlay. (State funds)

Hamilton—27-38 M-1893-01—K-27 KDOT mixing strip 1 mile (1.6 kilometers) north of the junction of U.S. 50, stockpile bituminous material. (State funds)

Greeley—96-36 M-1894-01—K-96 KDOT mixing strip 1 mile (1.6 kilometers) west of K-27, stockpile bituminous material. (State funds)

Finney—156-28 M-1895-01—K-157 KDOT mixing strip 1 mile (1.6 kilometers) northeast of the junction of U.S. 50, stockpile bituminous material. (State funds)

Stevens—56-95 M-1896-01—U.S. 56 KDOT mixing strip 1 mile (1.6 kilometers) west of Hugoton, stockpile bituminous material. (State funds)

Wichita—25-102 M-1906-01—K-25 KDOT mixing strip 2 miles (3.2 kilometers) south of Leoti, stockpile bituminous material. (State funds)

Stevens-Seward—106 K-7266-01—K-51 from the Stevens-Seward county line east to the junction of U.S. 83; U.S. 56 from the east junction of K-51 northeast to the west city limits of Moscow; K-51 from the west city limits of Hugoton east to the Stevens-Seward county line, 37.2 miles (59.8 kilometers), overlay. (State funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

> E. Dean Carlson Secretary of Transportation

Doc. No. 022953

(Published in the Kansas Register October 1, 1998.)

REDEMPTION NOTICE

CITY OF KANSAS CITY, KANSAS Water & Electric Light Plant Revenue Bonds, Series 1976A Due November 1, 2006 CUSIP Number 484800 KM8

NOTICE IS HEREBY GIVEN that, pursuant to Section 2 of Ordinance No. 55543 of the City of Kansas City, Kansas passed on November 9, 1976, \$1,295,000 principal amount of the Bonds are being called for redemption on November 1, 1998 at the redemption price of 100% of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The serial numbers of the bonds to be partially or fully redeemed in the amounts described below

are as follows:

· · .	- <u>B</u> €	arer B	onds	called	in den	omina	tion of	\$5.000	each			٠
2602	3624	3704	3708	3800	5228	.5350	£ 5356	5358	5364	5420	5437	
5438	5439	5459	5471	5491	5504	5549	5567	5570	5587	5590		
ดมอดกรี สมเ	e stubee	arient to	Noven	iher I	1002 m	net ha	ttachad i	in hand	le colled	for rod	متعصصاتم	_

Registered E	Bonds called in th	e amounts indicat	ed below all with the	prefix "R":
		35\$15,000	36\$5,000	38\$10,000
		4110,000	425,000	4415,000
		4715,000	495,000	5010,000
		5410,000	555,000	
			6110,000	6215,000
		665,000	675,000	6820,000
		725,000	7315,000	745,000
		. 7720,000	795,000	805.000
		8310,000	8510,000	865,000
			9010,000	915.000
		9510,000	9715,000	9810,000
995,000	1005,000	10115,000	10210,000	10315,000
		10710,000		11010.000
		11315,000		1165.000
		1195,000		12110,000
		1245,000	12510,000	12710.000
	12910,000		13215,000	1335,000
13410,000	13510,000	13715,000	1385,000	13915,000
	1415,000		1435,000	14415,000
		14710,000		15010,000
		15310,000		1555.000
		15810,000		16010,000
		16310,000		16515,000
		1685,000	1695,000	17010,000
		17315,000	17410,000	1755,000
	1835,000			
1825,000				and the second

Payment of the redemption price of the registered bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, Kansas 66101. To avoid a 31% backup withholding required by the Interest and Dividend Tax Compliance Act of 1983, bondholders should submit Certified Taxpayer Identification Numbers on IRS Form W-9 when presenting their securities for

Notice is hereby given that on and after November 1, 1998, interest on the bonds hereby called for

BY: SECURITY BANK OF KANSAS CITY KANSAS CITY, KANSAS

Dated: October 1, 1998 Doc. No. 022952

Registrar and Paying Agent

Vol. 17, No. 40, October 1, 1998

(Published in the Kansas Register October 1, 1998.)

Summary Notice of Bond Sale City of Lakin, Kansas \$1,215,000

General Obligation Bonds, Series 1998-A (General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated September 21, 1998, sealed bids will be received by the clerk of the City of Lakin, Kansas (the issuer), on behalf of the governing body at 121 N. Main, P.O. Box 148, Lakin, KS 67860, until 3 p.m. October 14, 1998, for the purchase of \$1,215,000 principal amount of General Obligation Bonds, Series 1998-A. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple. The bonds will be dated October 1, 1998, and will become due semiannually on March 1 and September 1 in the years as follows:

1.3		Principal
Year		Amount
1999		\$60,000
2000		60,000
2001		65,000
2002		70,000
2003		70,000
2004		75,000
2005		75,000
2006	en de la després de la companya de La companya de la co	80,000
2007	and the second	85,000
2008		85,000
2009		90,000
2010		95,000
2011		100,000
2012		100,000
2013		105,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 1999.

Book-Entry-Only System.

The bonds will be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$24,300 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and regis-

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tered without cost to the successful bidder within 45 days after the date of sale at DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$8,943,567. The total general obligation indebtedness of the issuer as of the date of the delivery of the bonds, including the bonds being sold, is \$2,725,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 355-6252, or from the financial advisor, George K. Baum & Company, 120 W. 12th, Suite 800, Kansas City, MO 64105, Attention: David Arteberry, (800) 821-7195.

Dated September 21, 1998.

City of Lakin, Kansas

Doc. No. 022963

(Published in the Kansas Register October 1, 1998.)

Summary Notice of Bond Sale Unified School District No. 373 Harvey County, Kansas (Newton) \$8,300,000

General Obligation School Building Bonds Series 1998

(General obligation bonds payable unlimited ad valorem taxe

, Sealed Bids

Subject to the notice of bor eptember 25, 1998, sealed bids will be ne clerk of Unified School District No. 3 Lounty, Kansas (Newthe governing body at 124 ton) (the issuer). , until noon October 15, 1998, W. 7th, New ,300,000 principal amount of Genfor the p knool Building Bonds, Series 1998. No eral Oblig bid of less tan 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated October 1, 1998, and will become due on September 1 in the years as follows:

Year	Principal Amount
2001	\$545,000
2002	595,000
2003	640,000
2004	700,000
2005	760,000

2006		810,000
2007		850,000
2008		895,000
2009	en de la companya de La companya de la co	940,000
2010		990,000
2011		575,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2000,

Optional Book-Entry-Only System:

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$166,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about November 10, 1998, at DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$114,826,488. The total general obligation indebtedness of the issuer as of the date of the delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$27,935,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 284-6200, or from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Wichita, KS 67206-2241, Attention: Stephen E. Sho-医环状腺 自然 化二烯二烷二烷 化二烷酸 gren, (316) 681-3123. Dated September 25, 1998.

Unified School District No. 373 Harvey County, Kansas (Newton) Consideration of the

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And the State

Board of Nursing

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 3 p.m. Tuesday, December 8, in Room 106 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes in existing rules and regula-

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the executive administrator of the Board of Nursing, Room 551-S, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing.

A summary of the proposed regulations and the economic impact follows.

K.A.R. 60-3-106. Licensure qualifications. When an individual fails to pass the licensure examination within 24 months from graduation, the board is asking the applicant to petition to retake the examination. The change in this regulation sets out what the individual must submit in the petition. The board also may require the individual to submit a study plan. The elements of the study plan are outlined so the candidate will know what to include.

K.A.R. 60-3-101. Licensure. As a suggestion from the board's assistant attorney general, the board has included in the regulation that an applicant for licensure will pass the examination prepared by the National Council of

State Boards of Nursing

K.A.R. 60-7-101. Licensure. The licensure qualifications for licensed mental health technicians have been updated in the regulation. The board added a section for providing modifications for a person with learning disabilities. The board also includes the requirement for petition and possible study plan for the applicant who has not passed the examination within 24 months.

Economic Impact: (K.A.R. 60-3-106 and 60-7-101) An individual, in completing a required study plan, could utilize resources from nursing libraries without a great deal of cost. However, it could be several hundred to more than \$1,000 if the individual employs tutors, study booklets or exam preparation courses as part of the study

On a positive note, the board hopes the individual will be better prepared when next taking the licensure examination if a study plan is completed. Individuals often work as nursing aides at minimum wage or as licensed practical nurses until the licensure exam is passed. Being able to pass the exam usually means an increase in several dollars an hour in wages. This would be an economic positive for the candidate.

Board members and staff have to review all study plans. There may be some minimal expenses of a few dollars, usually in postage or telephone calls. No added staff is needed to complete the study reviews, as board members volunteer their time. Around 20 study plans are done

per year.

The other changes in K.A.R. 60-7-101 and the changes in K.A.R. 60-3-101 should have no economic impact on candidates for licensure.

K.A.R. 60-13-116. Analgesia care. Analgesia care is defined in this regulation as applied to registered nurse anesthetists when providing such care when requested by a physician. Medication also is defined as related to

Economic Impact: This regulation should have no economic impact on registered nurse anesthetists, the pub-

lic or the Board of Nursing.

Copies of the regulations and their economic impact statements can be obtained from the Board of Nursing at the address above, (785) 296-5752

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the board.

> Patsy Johnson, R.N., M.N. **Executive Administrator**

Doc. No. 022960

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 1.—DISEASES

28-1-4. Registration of disease prevalence. (a) The administrator of each hospital licensed in the state shall report the following diseases to the secretary of health and environment for registration, on forms provided by the department:

(1) All diseases listed in K.A.R. 28-1-2; (2) cancer, as required by K.A.R. 28-70-2;

(3) congenital malformations in infants under one year of age;

(4) acquired immune deficiency syndrome; and

(5) fetal alcohol syndrome.

(b) The administrator of each hospital licensed in the state may designate a person within the hospital to report diseases on behalf of the individuals required by K.S.A. 65-118, and amendments thereto, to report these diseases for cases that these individuals observe while practicing at the hospital. Each report from the designated hospital person shall fulfill all reporting requirements for individuals required by K.S.A 65-118, and amendments thereto, to report these cases.

(c) All reports pursuant to this regulation shall be confidential medical information. (Authorized by K.S.A. 65-101; implementing K.S.A. 65-102 and K.S.A. 65-118; effective May 1, 1982; amended May 1, 1986; amended Jan. 12,

1996; amended Oct. 16, 1998.)

Gary R. Mitchell Secretary of Health and Environment

Kansas Judicial Council

Notice of Meetings

The Kansas Judicial Council and its advisory committees will meet according to the following schedule at the Kansas Judicial Center, 301 S.W. 10th Ave., Topeka:

Date	Committee	Time	Location
Oct. 2	Criminal Law	9:30 a.m.	Room 259
Oct. 2	Guard. & Conserv.	9:30 a.m.	Room 275
Oct. 5	Chapter 61	9:30 a.m.	Room 259
Oct. 9	Municipal Ct Manual	9:30 a.m.	Room 259
Oct. 14	Estate Tax	9:30 a.m.	Room 259
Oct. 16	Judicial Council	9:00 a.m.	Room 259
Oct. 16	PIK-Criminal	9:30 a.m.	Room 275
Oct. 23	Probate Law	9:30 am.	Room 259
Oct. 23	Ad. Pro.	9:30 a.m.	Room 275
Oct. 30	Family Law	9:30 a.m.	Room 275
Oct. 30	Civil Code	9:30 a.m.	Room 259
Nov. 6	Criminal Law	9:30 a.m.	Room 259
Nov. 6	Guard. & Conserv.	9:30 a.m.	Room 275
Nov. 13	Judicial Council	9:00 a.m.	Room 259
Nov. 20	PIK-Civil	9:30 a.m.	Room 259
Nov. 20	Probate Law	9:30 a.m.	Room 275

Hon. Tyler C. Lockett Chair

Doc. No. 922968

State of Kansas

Office of the Governor

Executive Order No. 98-8

WHEREAS, on July 31, 1998, Fort Scott Police responded to 716 South Judson Street, Fort Scott, Kansas, in reference to blood found inside and outside such residence:

WHEREAS, subsequent investigation revealed that res-

ident, Gregory O. Hines, was missing;

WHEREAS, on August 1, 1998, Mr. Hines' 1991 Cadillac was found abandoned with blood and other evi-

dence that would suggest foul play;

WHEREAS, on August 3, 1998, a possible weapon was found in a 2 mile radius of where Mr. Hines' vehicle was found and it is now believed that this is a possible homicide investigation;

WHEREAS, the offer of a reward will enhance the efforts of the agencies and officers involved in the investi-

gation of this heinous crime;

NOW, THEREFORE, by virtue of authority vested in me by K.S.A. 75-113, I, Bill Graves, Governor of the State of Kansas, do hereby offer a reward of five thousand dollars (\$5,000.00) for information leading to the arrest and conviction of the murderer or murderers of Gregory O. Hines.

This document shall be filed with the Secretary of State as Executive Order 98-8, and shall become effective immediately.

Dated September 21, 1998.

Bill Graves Governor

Attest: Ron Thornburgh Secretary of State

Doc. No. 022956

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 1997 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective	9-28-98 through	h 10-4-98
Term		Rate
1-89 days		5.47%
3 months		4.46%
6 months		4.64%
9 months		4.66%
12 months		4.61%
18 months		4.62%
24 months	The state of the s	4.48%
and the second second	the state of the s	A COLOR OF THE COL

Clyde Graeber Acting Chairman

Doc. No. 022955

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 4.—INSTANT GAME RULES HEARTLAND PARK PARTS AMERICA DRAWINGS

shall conduct a series of drawings. The Kansas lottery shall conduct a series of drawings, entitled the "Heartland Park Parts America Drawings." The "Heartland Park Parts America Drawings" shall take place on Sunday, October 4, 1998, at Heartland Park, 7530 Southwest Topeka Boulevard, Topeka, Kansas 66619. Rules applicable are contained in K.A.R. 111-3-1 et seq. and 111-4-607 through 111-4-615. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-26-94, Aug. 19, 1994; amended, T-111-10-12-95, Aug. 18, 1995; amended, T-111-8-25-97, Aug. 15, 1997; amended, T-111-9-21-98, Aug. 21, 1998.)

"Heartland Park Parts America Drawings." may be validly conducted, a location and the receptacle(s) or drum(s) must be approved by the executive director or his designee and the drawing must be open to the public. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-26-94, Aug. 19, 1994; amended, T-111-8-25-97, Aug. 15, 1997; amended, T-111-9-21-98, Aug. 21, 1998.)

111-4-609. Prizes. The winners selected at the "Heartland Park Parts America Drawings" conducted pursuant to the K.A.R. 111-4-607 et seq. shall receive prizes as follows.

Twelve tickets shall be drawn consecutively, immediately prior to the finals. Prizes shall be determined by the winning driver's speed in each of the twelve different classes with the winning dollar amount representing the

actual speed of the winning driver with the minimum and maximum dollar amounts as follows:

Class	Minimum Dollar Amount	Maximum Dollar Amount
Top Fuel Dragster	225	330
Top Fuel Funny Car	22 5	330
Pro Stock	125	225
Top Alcohol Dragster	17 5	275
Top Alcohol Funny Car	175	275
Competition Eliminator	125	22 5
Super Stock	<i>7</i> 5	175
Stock Eliminator	50	150
Super Street	50	150
Super Gas	7 5:	175
Super Comp	100	200
Pro Stock Truck	100	200

All prize awards are subject to lottery validation, set-offs and deductions provided by law. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-26-94, Aug. 19, 1994; amended, T-111-8-25-97, Aug. 15, 1997; amended, T-111-9-21-98, Aug. 21, 1998.)

111-4-610. Entry into drawings. Entry into the "Heartland Park Parts America Drawings" is accomplished by the process detailed in the following subparagraphs:

(a) Obtain a valid Kansas instant lottery ticket from the lottery's selling location at Heartland Park Topeka;

(b) Determine if the ticket is a winning ticket in accordance with any instant game rules. If the ticket is a winning ticket, it is not eligible for the "Heartland Park Parts America Drawings," and shall be redeemed in accordance with the instant game rules;

(c) If the ticket is a valid non-winning ticket purchased at the Heartland Park selling location, the ticket is eligible for winning a drawing and the holder of the ticket may enter the "Heartland Park Parts America Drawings."

(d) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner and sign it.

(e) The holder of the ticket need not be present to win at the time of the "Heartland Park Parts America Drawings."

(f) There is no limit to the number of entries a partici-

pant may make.

(g) For the racing events occurring on October 1, 2, 3, and 4, 1998, the receptacle(s) or drum(s) shall be open

during lottery selling hours.

(h) The holder of a non-winning ticket must take each non-winning ticket with the information form on the back completed, to the location of the receptacle(s) or drum(s) at the "Heartland Park Parts America Drawings" and place it in the receptacle(s) or drum(s) provided by the lottery.

(i) On Sunday, October 4, 1998, the Kansas lottery will sponsor its "Heartland Park Parts America Drawings." Players enter the drawings by placing non-winning tickets purchased at Heartland Park Topeka into the receptacle(s) or drum(s) located near the lottery's selling location in the pit area next to the souvenir shop. Twelve tickets will be drawn from the contents of the receptacle(s) or drum(s). Following validation by lottery security personnel, the winners' names shall be announced.

(j) Drawings shall be held by the lottery selling location on the east side of the track in the pit area next to the

souvenir shop.

(k) Anyone wishing to purchase lottery tickets to enter the Heartland Park Parts America Drawings without buying a ticket to the races may do so by making a request for lottery tickets at the Heartland Park ticket office. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-26-94, Aug. 19, 1994; amended, T-111-10-12-95, Aug. 18, 1995; amended, T-111-8-25-97, Aug. 15, 1997; amended, T-111-9-21-98, Aug. 21, 1998.)

111-4-611. Determination of winners. (a) The receptacle or drum shall be sealed and mixed to ensure random selection.

(b) The executive director shall designate one individual of his choice to participate in the selection process.

(c) The selection of the "Heartland Park Parts America Drawings" winners shall be accomplished by the individual designated by the executive director, using a bare arm technique, removing only one ticket at a time from the contents of the receptacle(s) or drum(s) for each of the 12 drawings. Four additional entries will be drawn after the twelfth ticket is drawn to serve as alternate winners in the event any of the original 12 winners cannot be located or notified. The same certification by security will be performed as for the original 12 drawn entries. Lottery security shall review the selected ticket to determine if the ticket is a valid non-winning ticket, the name is determined to be legible and the ticket was purchased at Heartland Park Topeka. If these requirements are met, the name of the ticket holder shall be announced to the audience.

(d) The named person need not be present at a drawing, but must in any event provide proper identification in order to claim the "Heartland Park Parts America

Drawings" prize.

(e) The person whose ticket has been drawn from the receptacle or drum shall be determined the "Heartland Park Parts America Drawings" winner, but regardless of the number of entries a person whose name appears on a valid entry drawn in the "Heartland Park Parts America Drawings" has made, he or she shall not be eligible to win more than one prize. The first entry drawn for a person whose name is drawn more than once shall be the only eligible entry for that person.

(f) After proper identification is produced, the winner shall be given a prize claim form to be completed and

returned to the lottery.

(g) If the ticket is not a valid ticket, is a winning ticket, the name on the ticket is not legible or the ticket was not purchased at the Heartland Park selling location, the ticket drawn will be void and the selection process shall be repeated until a winner is selected. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, 111-8-26-94, Aug. 19, 1994; amended, T-111-10-12-95, Aug. 18, 1995; amended, T-111-9-21-98, Aug. 21, 1998.)

stant game lottery ticket entered into the Heartland Park Parts America Drawings" shall become the property of the Kansas lottery and is disqualified from any other Kansas lottery prize or drawing. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, 111-8-26-94,

Aug. 19, 1994; amended, T-111-10-12-95, Aug. 18, 1995; amended, T-111-9-21-98, Aug. 21, 1998.)

the "Heartland Park Parts America Drawings" may hold co-sponsor drawings in conjunction with local retailers, businesses and organizations at a drawing event. In no instance shall these drawings take place prior to the "Heartland Park Parts America Drawings." Such drawings, if conducted, shall be a part of the lottery "Heartland Park Parts America Drawings" and prizes, in addition to cash prizes presented by the lottery, may be donated by the co-sponsor(s). The person drawing tickets for the lottery may draw additional tickets for the co-sponsor(s) prizes. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-26-94, Aug. 19, 1994; amended, T-111-9-21-98, Aug. 21, 1998.)

111-4-615. Cancellation of race/drawing. (a) If any "Heartland Park Parts America Drawing" is not held due to the Heartland Park race being cancelled because of rain out, power failure or any other unforeseen circumstance beyond the control of the Kansas lottery and Heartland Park after entries have been placed in the receptacle(s) or drum(s), it will be rescheduled. Any rescheduled drawing will be held as soon as practicable and at a location and time determined by the executive director or the person designated by the executive director and the minimum prizes identified in K.A.R. 111-4-609 will be awarded for each prize class which is rescheduled.

(b) Lottery security personnel or designated security personnel will, upon cancellation of any "Heartland Park Parts America Drawing" which is rescheduled, take possession of and secure the receptacle(s) or drum(s) containing all entries for the cancelled "Heartland Park Parts America Drawing" and hold all ticket entries contained

therein until the rescheduled drawing.

(c) The winner of a rescheduled "Heartland Park Parts America Drawing" need not be present at the time of that

drawing to be determined a winner.

(d) If a Heartland Park race is cancelled before the gates are open to the public, no entries will be allowed, and the "Heartland Park Parts America Drawings" will also be cancelled. If a "Heartland Park Parts America Drawing" is canceled under (d), it will not be rescheduled. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-26-94, Aug. 19, 1994; amended, T-111-9-21-98, Aug. 21, 1998.)

RULES FOR INSTANT GAME NO. 71 "PINHEADS"

111-4-1298. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "PINHEADS" commencing on or after August 24, 1998. The specific rules for the "PINHEADS" game are contained in K.A.R. 111-3-1 et seq. and 111-4-1298 through 111-4-1301. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

111-4-1299. Definitions. The following definitions shall apply to the "PINHEADS" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled

to a prize. In this instant game, the game symbols are printed in black ink with matching captions. A game symbol appears in each of nine play spots within the play area. Each game symbol for this instant game is one of the following: FREE ticket, $$2.^{\infty}-$3.^{\infty}-$6.^{\infty}-12.^{\infty}-18.^{\infty}-30.^{\infty}-$500$$$500$$$$$-0-1-2-3-4-5-6-7-8-9-10.$

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption		
FREE	TICKET		
\$2.00	TWO\$		
\$3.00	THR\$		
\$6.00	SIX\$		
12.00	TWELVE		
18.00	EGHTEEN		
30.00	THIRTY		
\$500\$	FIV-HUN		
0	ZRO		
1	ONE		
2	TWO		
3	THR		
4	FOR		
5	FIV		
6	SIX		
7	SEV		
8	EGT		
9	NIN		
10	TEN		

- (c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.
- (d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.
- (e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: FRE = Free ticket; TWO = \$2.00; THR = \$3.00; SIX = \$6.00; TWL = \$12.00; EGN = \$18.00; TRY = \$30.00; FHN = \$500.00
- (f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

111-4-1300. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the nine game symbols and captions. Pinheads consists of three games in one play area. A player adds up the "FIRST" and "SECOND" ball scores in a single game. If the total equals 10, the player wins the corresponding prize shown. A player can win up to three times. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-9-21-98, Aug. 21, 1998.)

111-4-1301. Number and value of instant prizes. (a) There will be approximately 1,800,000 tickets ordered initially for this instant game. The expected number and value of the instant prizes are as follows:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE TICKET	FREE	156,000	\$0
\$2.00	\$2	72,000	144,000
\$3.00	\$3	30,000	90,000
\$3.00 (1+1+1)	\$3	18,000	54,000
\$6.00	\$6	12,000	72,000
\$6.00 (3+3)	\$ 6	12,000	72,000
\$6.00 (2+2+2)	\$6	12,000	72,000
\$12.00	\$12	5,700	68,400
\$12.00 (6+6)	\$12	4,200	50,400
\$12.00 (6+3+3)	\$12	5,100	61,200
\$18.00	\$18	3,000	54,000
\$18.00 (12+6)	\$18	4,200	75,600
\$30.00	\$30	1,080	32,400
\$30.00 (18+12)	\$30	- 1,170	35,100
\$500.00	\$500	120	60,000
		336,570	<u>\$941,100</u>

- (b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 5.35.
- (c) All prizes are subject to deductions provided by law.
- (d) Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets and the same odds as were contained in the initial ticket order. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-9-21-98, Aug. 21, 1998.)

RULES FOR INSTANT GAME NO. 73 "TREASURE HUNT"

111-4-1302. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Treasure Hunt" commencing on or after August 24, 1998. The specific rules for the "Treasure Hunt" game are contained in K.A.R. 111-3-1 et seq. and 111-4-1302 through 111-4-1306. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

111-4-1303. Definitions. The following definitions shall apply to the "Treasure Hunt" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in each of the play areas of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in the two play areas. A game symbol appears in each of the 24 play spots within the "Directions for Treasure Map" play area and in certain of the 56 play spots in the "Treasure Map" play area. Each game symbol appearing in the "Prize Legend" for this instant game is one of the following:

Game Symbol	Prize
Symbol of a parrot (2 squares)	Free ticket
Symbol of a key (2 squares)	\$2
Symbol of a flag (3 squares)	\$ 5
Symbol of a ship (3 squares)	\$10
Symbol of a coin (4 squares)	\$25
Symbol of a diamond (4 squares)	\$50
Symbol of a pirate (4 squares)	\$100
Symbol of a shovel (5 squares)	\$1,000
Symbol of a chest (6 squares)	\$20,000

The above game symbols shall also appear on the "Treasure Map" in the number of squares accompanying each symbol. Each game symbol appearing in the "Directions for Treasure Map" which identifies locations in the alphabetic and numeric grid on the "Treasure Map" is a combination of one of the following:

A1	A2	A3	A4	A 5	A6	A7
B1	B2	В3	B4	B5	B6	B7
C1	C2	C3	C4	C5	C6	C7
D1	D2	D3	D4	D5	D6	D7
E1	E2	E3	E4	E 5	E6	E7
F1	F2	F3	F4	F5	F6	F7
G1	G2	G3	G4	G5	G6	G7
H1	H2	H3	H4	H5	H6	H7
	,					2 4 77 2

- (b) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the latex covering in the play area on the front of each instant ticket.
- (c) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 149. The book-ticket number is printed in black ink on the back of each instant game ticket both below the information form and below the bar code.
- (d) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six varying locations among the game symbols in each of the four play areas. The codes and their meanings are as follows: FRE = Free ticket; TWO = \$2.00; FIV = \$5.00; TEN = \$10.00; TWF = \$25.00; FTY = \$50.00; HUN = \$100.00.

(continued)

- (e) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)
- 111-4-1304. Cost of ticket. The price of "Treasure Hunt" instant tickets sold by a retailer shall be \$2.00 each. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

111-4-1305. Determination of instant prize winners. "Treasure Hunt" consists of two play areas. The "Directions for Treasure Map" play area located in the upper part of the ticket has 24 grid coordinates covered by opaque latex. The "Treasure Map" play area located in the lower portion of the ticket is a seven square by eight square matrix, containing 56 playing squares in total. Each square has an associated alphabetic and numeric reference. The "Treasure Map" will have nine game symbols, one of each type of a parrot, a key, a flag, a ship, a coin, a diamond, a pirate, a shovel, and a treasure chest. These imaged play symbols will be covered by opaque latex. The winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area entitled "Directions for Treasure Map," to reveal 24 "Treasure Map" grid coordinates. A player matches these grid coordinates with locations on the "Treasure Map" play area. If a player uncovers an entire symbol in the prize legend on the "Treasure Map" as identified by the grid coordinates on the "Directions for Treasure Map," the player wins the amount shown. A player can win one time on a single ticket. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-9-21-98, Aug. 21, 1998.)

111-4-1306. Number and value of instant prizes.
(a) There will be approximately 1,200,000 tickets ordered initially for this instant game. The expected number and value of the instant prizes are as follows:

Match	E Prizes	xpected Number of Prizes in Game	Expected Value in Game
Parrot - (2 squares)	Free	144,000	\$0
Key - (2 squares)	\$2	52,000	104,000
Flag - (3 squares)	\$ 5	18,800	94,000
Ship - (3 squares)	\$10	20,800	208,000
Coin - (4 squares)	\$25	8.500	212,500
Diamond -	\$50	4,000	200,000
(4 squares)			
Pirate - (4 squares)	\$100	2,100	210,000
Shovel - (5 squares)	\$1,000	120	120,000
Treasure Chest - (6 squares)	\$20,000	6	120,000
TOTAL		<u>250,326</u>	\$1,268,500

- (b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 4.79.
- (c) All prizes are subject to deductions provided by law.

(d) Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets and the same odds as were contained in the initial ticket order. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-9-21-98, Aug. 21, 1998.)

RULES FOR INSTANT GAME NO. 82 "COFFEE BREAK"

111-4-1307. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Coffee Break" commencing on or after August 24, 1998. The specific rules for the "Coffee Break" game are contained in K.A.R. 111-3-1 et seq. and 111-4-1307 through 111-4-1310. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

111-4-1308. Definitions. The following definitions shall apply to the "Coffee Break" instant lottery game:

- (a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink with matching captions. A game symbol appears in each of seven play spots within two play areas. Each game symbol for this instant game is one of the following: FREE \$1.00 \$2.00 \$5.00 10.00 25.00 50.00 \$100\$\$\$\$\$ \$500\$\$\$\$\$\$ \$1,000 symbol of coffee cup-GOOD LUCK.
- (b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
FREE	TICKET
\$1.00	ONE\$
\$2.00	TWO\$
\$5.∞	FIVE\$
10.∞	TEN\$
25.00	TWEN-FIV
50.00	FIFTY
\$100\$	ONE-HUN
\$500\$	FIV-HUN
\$1000	ONETHOU
Symbol of coffee cup	COFCUP
GOOD LUCK	n/a
rank and the abit all the bar of the	15年,19月1日 - 17月 18月 18月 18日 - 17月 18月 18日

- (c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.
- (d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and

end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: FRE = Free Ticket; ONE = \$1.00; TWO = \$2.00; FIV = \$5.00; TEN = \$10.00; TWF = \$25.00; TRY = \$30.00; FTY = \$50.00; STF = \$75.00; HUN = \$100.00; FHN = \$500.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

111-4-1309. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the seven game symbols and captions. This is a "match three of six" game which includes a bonus game.

Game 1 is a "bonus" game. If a coffee cup symbol is revealed within the "bonus" play area, the player wins

\$25.00 instantly.

Game 2 is a "match three of six" game. If the player matches three like prize amounts, the player wins the amount shown. A player can win twice on this ticket. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-9-21-98, Aug. 21, 1998.)

111-4-1310. Number and value of instant prizes. (a) There will be approximately 1,800,000 tickets ordered initially for this instant game. The expected number and value of the instant prizes are as follows:

Game 1	Game 2	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3-Frees	11.0	FREE	180,000	\$0
3-\$1.00	. 74.	\$1	108,000	\$108,000
3-\$2.00	1.5	\$2	66,000	132,000
3-\$5.00		\$ 5	25,200	126,000
3-\$10.00	4	\$10	12,600	126,000
3-\$25.00	a in the first	\$25	3,000	75,000
	\$25.00	\$25	4,800	120,000
3-\$5.00	\$25.00	\$30	1,500	45,000
3-\$25.00	\$25.00	\$50	900	45,000
3-\$50.00		\$50	900	45,000
3-\$50.00	\$25.00	\$75	600	45,000
3-\$100.00	e	\$100	300	30.000
3-\$500.00	1, 3	\$500	42	21,000
3-\$1,000.00	1.5	\$1,000	<u>12</u>	12,000
			403,854	\$930,000

- (b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 4.46
- (c) All prizes are subject to deductions provided by law.

(d) Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets and the same odds as were contained in the initial ticket order. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-9-21-98, Aug. 21, 1998.)

RULES FOR INSTANT GAME NO. 89 "STAR TREK"

shall conduct an instant winner lottery game entitled "Star Trek" commencing on or after August 24, 1998. The specific rules for the "Star Trek" game are contained in K.A.R. 111-3-1 et seq. and 111-4-1311 through 111-4-1315. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

111-4-1312. Definitions. The following definitions shall apply to the "Star Trek" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in each of the three play areas of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink with matching captions. A game symbol appears in each of the 17 play spots within the three play areas. Each game symbol for this instant game is one of the following: \$1.00 - \$2.00 - \$3.00 - \$5.00 - 10.00 - \$0.00 - \$1000 - \$0.000 - 1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - 10 - 11 - 12 - 13 - 14 - 15 - GOOD LUCK.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
\$1.00	ONE\$
\$2.00	TWO\$
\$3.00	THR\$
\$ 5.00	FIV\$
10.00	TEN\$
20.00	TWENTY
\$100\$	ONE-HUN
\$1000	ONETHOU
\$30000	30-THOU
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
10	TEN
11	ELVN
12	TWLV
13	THRTN
14	FORTN
15	FIFTN

(c) "Ticket validation number" means a unique num(continued)

ber appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the latex covering in the play area on the front of each instant ticket.

- (d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 99. The book-ticket number is printed in black ink on the back of each instant game ticket both below the information form and below the bar code.
- (e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six varying locations among the game symbols in each of the three play areas. The codes and their meanings are as follows: THR = \$3.00; FOR = \$4.00; FIV = \$5.00; SIX = \$6.00; TEN = \$10.00; TWY = \$20.00; FRY = \$40.00; FTY = \$50.00; ETY = \$80.00; HUN = \$100.00; THN = \$200.00; FHN = \$500.00.
- (f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)
- 111-4-1313. Cost of ticket. The price of "Star Trek" instant tickets sold by a retailer shall be \$3.00 each. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)
- 111-4-1314. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the three separate play areas entitled "GAME 1," "GAME 2," and "GAME 3" to reveal the 17 game symbols and captions in the play areas.

In Game 1, a player removes the scratch-off material to reveal six prize amounts. If a player matches three like prize amounts, the player wins that amount. A player can win once in this play area.

In Game 2, a player removes the scratch-off material to reveal two "WINNING NUMBERS" and eight "YOUR NUMBERS." If a player matches any of "YOUR NUMBERS" to either "WINNING NUMBERS," the player wins the prize shown below that number. A player can win up to eight times in this play area.

In Game 3, if any prize amount is revealed, the player wins that prize instantly. A player can win once in this play area.

A player can win up to 10 times on a single ticket. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-9-21-98, Aug. 21, 1998.)

111-4-1315. Number and value of instant prizes.

(a) There will be approximately 600,000 tickets ordered initially for this instant game. The expected number and value of the instant prizes are as follows:

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	wastated.	7.5		rizes in	Value in
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IOTAL .	ected of	n militari	10 849	139,262	\$1,090,800

- (b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 4.31.
- (c) All prizes are subject to deductions provided by law.
- (d) Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets and the same odds as were contained in the initial ticket order. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-9-21-98, Aug. 21, 1998.)

Article 7:--ON LINE GAMES 1008

"QuikTrip—Big 40 Promotion"

111-7-128a. Name of drawing. The Kansas lottery shall conduct a drawing entitled "QuikTrip—Big 40 Promotion." The drawing will be held at 5:00 p.m. on Saturday, October 17, 1998, at QuikTrip No. 157 located at 7400 West 63rd Street in Overland Park, Kansas. Rules applicable to the "QuikTrip—Big 40 Promotion" are contained in K.A.R. 111-7-128a through 111-7-133 and K.A.R. 111-6-1 et seq. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

111-7-129. Prize. The first prize winner selected in the "QuikTrip—Big 40 Promotion" shall receive a trip for two to Denver for three days and two nights, including hotel and air fare from KCI in Kansas City, two tickets to the Kansas City Chiefs versus Denver Broncos football

game on December 6, 1998, and \$20.00 worth of QuikTrip gasoline. The next 24 prize winners selected in the "QuikTrip—Big 40 Promotion" shall receive \$20 worth of gasoline from QuikTrip and a \$20 coupon prize pack from the Kansas lottery including \$3 each for Powerball, Kansas Cash, Cash 4 Life, Pick 3 and Keno tickets, and \$5 for instant tickets. The prizes are subject to lottery validation, set-offs and deductions authorized by law. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

111-7-130. Method of entry. Entry into the "QuikTrip—Big 40 Promotion" to be conducted on October 17, 1998, shall be accomplished as follows:

(a) A player may obtain a valid "QuikTrip—Big 40 Promotion" entry form which is issued following every twelfth wager transaction involving the on-line games Powerball, Kansas Cash, Cash 4 Life and Pick 3 games offered by the Kansas lottery that occur among the 57 QuikTrip locations. The promotion will run from 6:00 a.m. beginning September 1, 1998, through September 30, 1998, at the close of business as defined by subsection (p) of K.A.R. 111-6-1 at all QuikTrips in Kansas. Entry forms will automatically be issued by the on-line terminal at the QuikTrips in Kansas at which the twelfth transaction occurred. A transaction for this promotion is the single purchase of one or more Powerball, Kansas Cash, Cash 4 Life or Pick 3 on-line tickets for which a single ticket is issued by a lottery terminal. Only valid entry forms issued during September 1998 by QuikTrips in Kansas which are mailed pursuant to subsection (d) and received by the time specified in subsection (g) shall be eligible for the drawing.

(c) Each individual entry form shall constitute one en-

ry.

(d) Place only one valid entry form into an envelope no larger than four and three-fourths inches by 11 inches and mail to: "Kansas Lottery," post office box 3000, Great Bend, Kansas 67530. The mailing address shall also be printed on each entry form issued.

(e) The holder of the entry form must complete the information on each entry form in a legible manner. Only one name shall appear on entry forms on any one entry.

(f) There is no limit on the number of entries a person

may make.

(g) All entry forms which are received at the lottery's Great Bend post office box by the morning of Tuesday, October 13, 1998, and picked up by the lottery at approximately noon on Tuesday, October 13, 1998, shall be entered into the drawing.

(h) Eligible entrants must be 18 years of age or older.

- (i) Completing the information on the entry form and entering the form into the drawing constitutes authorization to publicly identify the person whose entry is drawn.
- (j) Officers and employees of QuikTrip are not eligible to enter this promotion or win a prize. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

111-7-131. Certification of the drawing. (a) The "QuikTrip—Big 40 Promotion" drawing shall be personally observed by a member of the Kansas lottery division of security and the promotion coordinator.

(b) Upon completion of the drawing, the security official and the promotion coordinator shall issue a report to the executive director, certifying that the names of the prize winners are correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winners. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710(b); effective, T-111-9-21-98, Aug. 21, 1998.)

111-7-132. Selection of winners. The following process shall be used for the selection of winners in the "QuikTrip—Big 40 Promotion" drawing:

(a) Kansas lottery personnel shall pick up all mail containing "QuikTrip—Big 40 Promotion" envelopes at the

United States post office in Great Bend, Kansas.

(b) Lottery personnel shall transport the mail to the mail room where the entries will be secured by lottery security personnel. On or before the day of the drawing, lottery personnel will transfer the entries to Overland

Park for the drawing.

(c) The drawing shall be held at the QuikTrip No. 157 located at 7400 West 63rd Street in Overland Park, Kansas, in a place accessible to the public and open for public attendance with lottery security personnel present, or at the QuikTrip corporate office located at 6300 West 51st Street, Mission, Kansas, in the event the lottery determines that because of weather or other conditions that the drawing location should be changed. The drawing shall be audio and video taped.

(d) Prior to the drawing, the drum or receptacle shall be sealed and the contents mixed by rotating the drum five times, if a drum is used, or by mixing the contents with a shovel or by other means for at least three minutes

if another type receptacle is used.

(e) The designated individual shall then unseal the drum or receptacle, and using the bare-arm technique, remove one entry envelope from the drum or receptacle, remove one entry form from the envelope and certify it as valid for the first prize.

(f) Twenty-four additional entries will be drawn and identified in the same manner as in subsection (e), and certified as prize winners unless the first prize entrant whose name was drawn for the grand prize cannot be located within 15 days. If the first prize entrant cannot be located, the person whose name was drawn second shall

be declared the first prize winner.

- (g) After the first 25 entries have been drawn and identified in the same manner as in subsection (e) and certified valid, five more entries will be drawn and identified in the same manner as in subsection (e) to serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A and 5A. The alternate entry forms will be used only if the original winners cannot be located or declared ineligible. Alternate entries will be utilized in order drawn.
- (h) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into the "QuikTrip—Big 40 Promotion" in accordance with these regulations. If it is a valid entry form and the name is legible, the draw manager and the security person shall record the name of the winner and the winner shall be promptly notified.

(continued)

(i) If an entry form is determined to be ineligible, it shall be discarded by the security person present and another entry form will be drawn. This procedure will be repeated until valid selections are obtained.

(j) The person whose name appears on each entry form on the entry drawn shall win the prize identified in K.A.R. 111-7-129, subject to validation by the lottery as

set forth in these rules.

(k) All "QuikTrip—Big 40 Promotion" forms remaining in the drum or receptacle on October 17, 1998, after the winners have been selected and certified shall be destroyed. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710(b); effective, T-111-9-21-98, Aug. 21, 1998.)

111-7-133. Rights of participants. Any Kansas entry form entered into the "QuikTrip - Big 40 Promotion" is disqualified from any other Kansas lottery prize or eligibility for which that entry form may have been redeemable. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710(d); effective, T-111-9-21-98, Aug. 21, 1998.)

111-7-134. Buy five Keno tickets, get one free. Starting on September 1, 1998, and ending at the close of business on September 30, 1998, as defined in subsection (p) of K.A.R. 111-6-1, for every Keno ticket purchase of \$5.00 or more, a player will receive a \$1.00 "4-spot" Keno quick pick play free. Lottery terminals will automatically dispense a "4-spot" Keno play, starting at 6:00 a.m., September 1, 1998, for every single \$5.00 Keno ticket purchase whether for a single draw or multiple draws during the month of September 1998. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

Article 9.—INDIVIDUAL PULL-TAB **GAME RULES**

RULES FOR PULL-TAB GAME NO. 14 "WILD JOKERS"

111-9-91. Name of game. The Kansas lottery shall conduct a pull-tab game entitled "Wild Jokers" starting on or after September 7, 1998. The specific rules for the "Wild Jokers" game are contained in K.A.R. 111-9-91 through 111-9-96. Other applicable rules for the game may be found in K.A.R. 111-8-1 et seq. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

111-9-92. Definitions. The following definitions shall apply to the "Wild Jokers" pull-tab lottery game.
(a) "Ticket" or "card" means a Kansas lottery pull-tab

game "Wild Jokers" ticket.

(b) "Play symbols" are the numbers, letters, symbols or pictures printed on the front and under each tab on the back of each pull-tab ticket which determine if the ticket bearer is entitled to a prize. In this pull-tab game, the play symbols consist of images of a classic red joker, a yellow joker, a horseshoe, a king, a joker, a black and white joker, a blue profile joker, a seven, a clown joker, a lime, and a lemon. Various combinations of these play symbols appear under each of the five tabs on the back of each ticket.

(c) "Carton" or "sleeve" means a package of pull-tab

tickets containing 624 tickets.

(d) "Carton serial number" is the 9-digit number appearing on the front of the ticket. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

111-9-93. Determination of instant prize winners. Each tab on the back of the ticket is to be pulled open. If two classic red jokers plus a yellow joker, a horseshoe, a king joker, a black and white joker, a profile joker, a seven or a clown joker appear horizontally, vertically, or diagonally with a blue arrow running through all three symbols, the player wins the prize which corresponds to the symbols appearing on the front of the ticket. On winning combinations, the total amount won will appear under a tab. The prize amounts are as follows:

2 - classic red jokers and a yellow joker	\$40.00
2 - classic red jokers and a horseshoe	\$20.00
2 - classic red jokers and a king joker	\$10.00
2 - classic red jokers and a black and white joker	\$3.00
2 - classic red jokers and a blue profile joker	\$2.00
2 - classic red jokers and a seven	\$1.00
2 - classic red jokers and a clown joker	\$.50

No ticket will have more than one winner. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-9-21-98, Aug. 21, 1998.)

111-9-94. Number and value of prizes per quarter carton of tickets. The prize structure for each carton of "Wild Jokers" pull-tab tickets is as follows:

*	Number of	Prize Payout
Prize	Winners	in Dollars
\$40.00	1	\$ 40.00
\$20.00	2	40.00
\$10.00	2	20.00
\$3.00	5	15.00
\$2.00	8	16.00
\$1.00	15	15.00
\$.50	<u>84</u>	42.00
	117	\$188.00

Overall odds of winning a prize are one in 5.33. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-9-21-98, Aug. 21, 1998.)

111-9-95. Validation requirements. The following validation requirements shall apply:

(a) Exactly two classic red jokers and one yellow joker, two classic red jokers and one horseshoe, two classic red jokers and one king joker, two classic red jokers and one black and white joker, two classic red jokers and one blue profile joker, two classic red jokers and one seven, or two classic red jokers and one clown joker must appear under a tab on the back of the ticket for the ticket to be a winner.

(b) Winning tickets will have a blue arrow running through the three winning symbols and the winning

amount will appear under one of the tabs.

(c) The ticket must pass all validation requirements as specified in K.A.R. 111-8-6. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

111-9-96. Price. The retail price of the "Wild Jokers" tickets is 50¢ per ticket. (Authorized by K.S.A. 1997 Supp. 74-8710; effective, T-111-9-21-98, Aug. 21, 1998.)

> Gregory P. Ziemak **Executive Director**

INDEX TO ADMINISTRATIVE **REGULATIONS**

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	51-1-22	Revoked	V. 17, p. 628	68-2-20	Amended	V. 17. p. 1167	82-3-308	Revoked	V. 16, p. 1334
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